

***Montana Fish, Wildlife and Parks***  
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**ENVIRONMENTAL ASSESSMENT CHECKLIST**

**PART 1. PROPOSED ACTION DESCRIPTION**

Project title: Wade Tellesch Fur Farm

Application date: December 22, 2016

Name, address & phone number: Wade Tellesch, 205 Caribou Street, Coram, MT 59913  
406-387-9010

Project location: 205 Caribou Street, Coram, MT

**Description of project:** Mr. Tellesch has applied for a fur farm license to possess a breeding pair of bobcats for the purpose of raising and selling bobcats as pets. The facility is located in Coram, Montana, at 205 Caribou Street in Flathead County (T31N, R19W, Section 20).

The bobcats will be housed in a large outdoor enclosure equipped with a fish pond, individual sleeping hutches, climbing structures, perches, heated waterer, and enrichment equipment (Figure 1). The dimensions for the enclosure are approximately 16' x 50' and 25' tall, with one exterior gate. The enclosure is fully fenced, and the fence is buried and secured to the ground. The fencing is 3" x 5" sheep wire. The entire enclosure is covered with a metal pitched roof and is in a shaded area surrounded by trees, protecting the bobcats from inclement weather and direct sun. Within the enclosure, there are individual breeding cages for each of the cats. The cages are constructed of 1" x 1" wire, are elevated approximately 30" off the ground and are 4' x 4' x 10'. Each breeding pen possesses a sleeping igloo, perches, food, and water (Figure 2).

The bobcats will be vaccinated against diseases, such as distemper annually and protected against parasites.

**Other groups or agencies contacted or which may have overlapping jurisdiction:** Flathead County Sheriff's office, Flathead County Commissioners, United States Department of Agriculture, Montana Department of Health and Human Services, and Montana Department of Livestock.



Figure 1. Pond and habitat structures.



Figure 2. Individual cages within larger enclosure.

## **PART 2. ENVIRONMENTAL REVIEW**

Table 1. Potential impact on physical environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Unique, endangered, fragile, or limited environmental resources.				x		
2. Terrestrial or aquatic life and/or habitats.				x		
3. Introduction of new species into an area.				x		
4. Vegetation cover, quantity, and quality.				x		
5. Water quality, quantity, and distribution (surface or groundwater).				x		
6. Existing water right or reservation.				x		
7. Geology and soil quality, stability and moisture.				x		
8. Air quality or objectionable odors.				x		
9. Historical and archaeological sites.				x		
10. Demands on environmental resources of land, water, air, and energy.				x		
11. Aesthetics.				x		

### **Comments:**

None

Table 2. Potential impacts on human environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Social structures and cultural diversity.				x		
2. Changes in existing public benefits provided by wildlife populations and/or habitat.				x		
3. Local and state tax base and tax revenue.				x		
4. Agricultural production.				x		
5. Human health.					x	Through proper husbandry and enclosure maintenance
6. Quantity and distribution of community and personal income.				x		
7. Access to and quality of recreational activities.				x		
8. Locally adopted environmental plans & goals (ordinances).				x		
9. Distribution and density of population and housing.				x		
10. Demands for government services.				x		
11. Industrial and/or commercial activity.				x		

**Comments:**

5. Any impacts on human health can be mitigated through proper animal husbandry and maintaining clean cages and enclosures. Waste will be removed and properly disposed daily.

**Based on the significance criteria evaluated in this EA, is an EIS required?** No.

The proposed fur farm will not have any significant impacts to the human environment or the physical environment, and therefore an EIS is not necessary.

**Does the proposed action involve potential risks or adverse effects, which are uncertain but extremely harmful if they were to occur?** No

**Does the proposed action have impacts that are individually minor, but cumulatively significant or potentially significant?** No

**Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action, when alternatives are reasonably available and prudent to consider:**

Alternative 1: No Action.

Alternative 2: The facility is granted a license to house and raise bobcats for the pet trade.

**Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

Stipulations for the license:

- Vaccination records will be provided to the department annually.
- The enclosure gate will be padlocked at all times.
- No trapping of fur bearing animals within or along the property boundary.
- The licensed Fur Farm will be open for inspection on a scheduled basis or at other times deemed necessary by FWP.
- A contingency plan must be in place to address any ingress or egress issues with the bobcats.

**Individuals or groups contributing to, or commenting on, this EA:** None

**EA prepared by:** Jessy Coltrane, Region 1 Area Wildlife Biologist

**Date completed:** September 12, 2017

**Email address for comments:** jcoltrane@mt.gov

**Mail comments to:** Jessy Coltrane, Area Biologist  
Fish, Wildlife & Parks  
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Kalispell, MT 59901

**Comments due by:** Friday, October 13, 2017, at 5:00 p.m.

## APPENDIX A

### PRIVATE PROPERTY ASSESSMENT ACT CHECKLIST

The 54th Legislature enacted the Private Property Assessment Act, Chapter 462, Laws of Montana (1995). The intent of the legislation is to establish an orderly and consistent process by which state agencies evaluate their proposed actions under the "Takings Clauses" of the United States and Montana Constitutions. The Takings Clause of the Fifth Amendment of the United States Constitution provides: "nor shall private property be taken for public use, without just compensation." Similarly, Article II, Section 29 of the Montana Constitution provides: "Private property shall not be taken or damaged for public use without just compensation..."

The Private Property Assessment Act applies to proposed agency actions pertaining to land or water management or to some other environmental matter that, if adopted and enforced without compensation, would constitute a deprivation of private property in violation of the United States or Montana Constitutions.

The Montana State Attorney General's Office has developed guidelines for use by state agency to assess the impact of a proposed agency action on private property. The assessment process includes a careful review of all issues identified in the Attorney General's guidance document (Montana Department of Justice 1997). If the use of the guidelines and checklist indicates that a proposed agency action has taking or damaging implications, the agency must prepare an impact assessment in accordance with Section 5 of the Private Property Assessment Act. For the purposes of this EA, the questions on the following checklist refer to the following required stipulation(s):

***(LIST ANY MITIGATION OR STIPULATIONS REQUIRED, OR NOTE "NONE")***

### DOES THE PROPOSED AGENCY ACTION HAVE TAKINGS IMPLICATIONS UNDER THE PRIVATE PROPERTY ASSESSMENT ACT?

YES	NO	
_____	<u>  X  </u>	1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
_____	<u>  X  </u>	2. Does the action result in either a permanent or indefinite physical occupation of private property?
_____	<u>  X  </u>	3. Does the action deprive the owner of all economically viable uses of the property?
_____	<u>  X  </u>	4. Does the action deny a fundamental attribute of ownership?
_____	<u>  X  </u>	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? [If the answer is <b>NO</b> , skip questions 5a and 5b and continue with question 6.]
_____	_____	5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
_____	_____	5b. Is the government requirement roughly proportional to the impact

of the proposed use of the property?

- |       |              |   |
|-------|--------------|---|
| _____ | <u>  X  </u> | 6. Does the action have a severe impact on the value of the property?   |
| _____ | <u>  X  </u> | 7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally? [If the answer is <b>NO</b> , do not answer questions 7a-7c.] |
| _____ | _____        | 7a. Is the impact of government action direct, peculiar, and significant?   |
| _____ | _____        | 7b. Has government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?  |
| _____ | _____        | 7c. Has government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?                              |

Taking or damaging implications exist if **YES** is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if **NO** is checked in response to questions 5a or 5b.

If taking or damaging implications exist, the agency must comply with Section 5 of the Private Property Assessment Act, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.